

**BOARD OF FORESTRY AND FIRE PROTECTION**

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September 19, 2008

Mr. Harold J. Singer, Executive Officer  
Lahontan Regional Water Quality Control Board  
2501 Lake Tahoe Boulevard  
South Lake Tahoe, CA 96150

**RE: Supplemental Comments on Proposed Adoption of a Memorandum of Understanding for Vegetation Management Activities in the Lake Tahoe Region between the Tahoe Regional Planning Agency and the Lahontan regional Water Quality control Board.**

Dear Mr. Singer,

The Board of Forestry and Fire Protection (Board) recently provided a comment letter dated September 15, 2008 to the Lahontan Regional Water Quality Control Board (LRWQCB) regarding the proposed Memorandum of Understanding (MOU) with the Tahoe Regional Planning Agency (TRPA). This correspondence is intended to supplement that original comment letter and further clarify this Board's position of opposition to the draft MOU in its current form.

It should be noted that the Board would not have been compelled to comment on the proposed MOU had LRWQCB and TRPA consulted directly with the Department of Forestry and Fire Protection (CAL FIRE) from the beginning. As you know, the proposed MOU was a recommendation of the California-Nevada Tahoe Basin Fire Commission (Tahoe Commission). It was the further recommendation of the Tahoe Commission that the Director of CAL FIRE play an integral role in tracking and reporting progress on adoption of the MOU. The Tahoe Commission went on to state that the final proposed MOU was to be, "submitted to, and be subject to the prior review and comment by the Director of CAL FIRE." As is clearly implied in this recommendation, CAL FIRE was expected to take a leadership role in the drafting and adoption of the proposed MOU. Instead, LRWQCB and TRPA borrowed the Forest Practice Act definition of "timber operations" and summarily ignored CAL FIRE's suggestions and concerns. As you might imagine, this conspicuous lack of collaboration with CAL FIRE does little to promote trust between our respective agencies and faith in the overall utility of the proposed MOU. Indeed, absent collaboration with CAL FIRE, the Board could not in good conscience endorse any interagency MOU pertaining to the regulation of fuel reduction activities on state and private lands.

This concludes the Board's supplemental comments. To reiterate, the State Board of Forestry and Fire Protection once again strongly urges the Lahontan Regional Water Quality Control Board and Tahoe Regional Planning Agency not to adopt the MOU as it is currently proposed. Delaying adoption of the MOU at this time would allow for the absolutely necessary consultation with the Department of Forestry and Fire Protection. Should you have questions or concerns regarding this correspondence, please feel free to contact me at (916) 653-8007.

Sincerely,

George D. Gentry  
Executive Officer